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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,025	07/28/2006	Jobst Horentrup	PD030040	6896

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JOSEPH J. LAKS, VICE PRESIDENT
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PATENT OPERATIONS
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EXAMINER

BELOUSOV, ANDREY

ART UNIT	PAPER NUMBER
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2174

MAIL DATE	DELIVERY MODE
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09/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,025

Applicant(s)

HORENTRUP ET AL.

Examiner

Andrew Belousov

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/03/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the original filing of October 3, 2005. Claims 1-6 are pending and have been considered below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Setogawa et al., (EP 0920017 A2.)

Claim 1, 2: Setogawa discloses a method for decoding (Fig. 17: 114) a menu data segment (Fig. 8: PGC data structure; par. 0047) read from a removable storage medium (Fig. 17: 130), the method comprising the steps of

- a. detecting within the menu data segment data (VOB; Fig. 7: 62) corresponding to a plurality of menu buttons (par. 82);
- b. extracting from the menu data segment for each button of the plurality of menu buttons at least first data defining whether the button is selectable and second data defining whether the button has graphic representation data associated (Fig. 14: 75);

- c. decoding data corresponding to first menu buttons to selectable display data (par. 82), wherein the first buttons have graphic representation data associated (par. 85) and are selectable (par. 89);
- d. decoding data corresponding to second menu buttons to non-selectable display data, wherein the second menu buttons have graphic representation data associated and are not selectable (par. 61); and
- e. decoding data corresponding to third menu buttons to selectable and invisible menu elements, wherein the third menu buttons have no associated graphic representation data stored within said menu data segment, and wherein the third menu buttons are automatically activated upon selection (par. 74-75.)

Claim 3: Setogawa discloses the method or apparatus according to claim 1, wherein the menu data segment defines a multi-page menu (par. 81), and wherein the first menu buttons are not displayed for every menu page (Fig. 4A-4B), and wherein the menu data segment includes data defining for each menu page which of the first menu buttons is to be rendered visible on the display (par. 81.)

Claim 4: Setogawa discloses the method or apparatus according to claim 1, wherein a button may have one of the states unselected, selected or activated (par. 79), and wherein the second data extracted for each of the buttons enables defining that a button has graphic representation data for only one of said states associated and stored within said menu data segment, but not for another of said states (par. 78: framed button.)

Claim 5: Setogawa discloses the method or apparatus according to claim 1, wherein sound data are associated to a state of a menu button (e.g. at the entry to the menu wherein the button state is unselected), the sound data being read from the removable storage medium (Fig. 14: 74) and being played back upon entry of the button into the associated state (par. 82: Fig 14: 74.)

Claim 6: Setogawa discloses the method or apparatus according to claim 1, wherein the menu controls playback of audio-visual data stored on said removable storage medium (par. 9.)

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB
August 23, 2007

Kristine Kincaid
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